

**FOURTH CONTRACT MODIFICATION  
MAINTENANCE, REPAIR AND ACCIDENT MANAGEMENT PROGRAM FOR STATE-OWNED  
VEHICLES  
CONTRACT NO. 050B6400003**

This Fourth Contract Modification (the "Fourth Modification") is made this 22nd day of June, 2022, by and between Element Fleet Corporation (the "Contractor") and the State of Maryland (the "State") acting through the Department of Budget and Management (the "Department").

WHEREAS, on September 14, 2016, the Department entered into a contract with Element Vehicle Management Services, LLC to provide a Maintenance, Repair and Accident Management Program for State-Owned Vehicles (the "Contract") pursuant to Request for Proposals for Maintenance, Repair and Accident Management Program for State Owned Vehicles, Solicitation No. 05086400003 issued January 15, 2016, and all amendments thereto issued in writing by the State (the "RFP"); and

WHEREAS, the Department and Element Vehicle Management Services, LLC modified the Contract on September 12, 2017 to clarify the scope of work ("Modification 1"); and

WHEREAS, the Department, Element Vehicle Management Services, LLC and the Contractor again modified the Contract on June 7, 2018 to reflect the assignment and novation of the Contract from Element Vehicle Management Services, LLC to the Contractor ("Modification 2"); and

WHEREAS, the Department, Element Vehicle Management Services, LLC and the Contractor again modified the Contract on September 1, 2021 to extend the Contract ("Modification 3"); and

WHEREAS, the Department desires to add additional funds to the not to exceed amount set forth in Modification 3 for services rendered during the Contract extension period of October 1, 2021 through September 30, 2022; and

WHEREAS, the Department and Contractor desire to further extend the Contract while the State conducts a new procurement for the services and awards a new contract, to ensure continuing of maintenance, repair, and accident management for State-owned vehicles.

NOW THEREFORE, IN CONSIDERATION of the promises and the covenants herein contained, the receipt and sufficiency of which are hereby acknowledged, the parties agree as follows:

- 1. Defined Terms.** All capitalized terms used in this Fourth Modification shall have the same meaning as provided in the Contract.
- 2. Duration of Contract.** The Contract term under Section 3 of the Contract, Period of Performance, is hereby extended for six (6) months, from October 1, 2022 through March 30, 2023, unless terminated earlier as provided in the Contract.
- 3. Consideration and Payment.** Payment to the Contractor for the services rendered during the Contract extension period from October 1, 2021 through September 30, 2022 shall be increased from Fifteen Million Dollars (\$15,000,000.00) to Nineteen Million Dollars (\$19,000,000.00).

Payment to the Contractor for the services rendered during the Contract extension period from October 1, 2022 through March 30, 2023 (the “Second Contract Extension Period”) shall be in accordance with Section 4 of the Contract and at the prices quoted in the Financial Proposal, and shall not exceed Eighteen Million Dollars (\$18,000,000.00) for the Second Contract Extension Period. The terms and conditions of Section 4 of the Contract remain unchanged.

- 4. Scope of Fourth Modification.** This Fourth Modification amends the Contract specifically as described herein. Except as specifically revised by the terms of this Fourth Modification, all of the terms of the Contract shall remain in full force and effect and shall apply to this Fourth Modification.

*[Signature page follows]*

**IN WITNESS THEREOF**, the parties have executed this Fourth Modification as of the date hereinabove set forth.

ELEMENT FLEET CORPORATION

STATE OF MARYLAND  
DEPARTMENT OF BUDGET AND  
MANAGEMENT

By: DocuSigned by:  
Matt Farley (SEAL)  
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By: Marc Nicole  
Marc Nicole (Jul 6, 2022 11:47 EDT)  
Marc Nicole, Deputy Secretary

Date: May 20, 2022

Date: Jul 6, 2022

Matt Farley, Vice President, Assistant General Counsel

Print Name and Title of Authorized Officer

Witness/Attest:

Witness:

By: DocuSigned by:  
Sarah Ross  
706027C1716F4F6...

By: \_\_\_\_\_

Approved for form and legal sufficiency  
this 24<sup>th</sup> day of May, 2022.

Damar A. Brown  
Assistant Attorney General

# 1-Mod\_4\_Maintenance\_Repair\_Accident\_for\_State\_Owned\_Vehicles Element OAG signed

Final Audit Report

2022-07-06

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## "1-Mod\_4\_Maintenance\_Repair\_Accident\_for\_State\_Owned\_Vehicles Element OAG signed" History

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